

REMARKS

Claims 71 to 82 are pending. Claims 71, 75, and 79 have been amended. Support for the amendments to the claims can be found throughout the application and at page 5, lines 15 and 16.

The Examiner rejected claims 71 to 82 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,941,896 to Kerr.

Applicants respectfully traverse this rejection of the claims. Although Applicants disagree with the Examiner, the independent claims in this rejection, claims 71, 75, and 79 have been amended to recite that the spacing member comprises a wire form. In Kerr, the Examiner has construed angioplasty balloon 210 to be a spacing member. This angioplasty balloon clearly does not comprise a wire form. Because claims 72 to 74, 76 to 78, and 80 to 82 depend from claims 71, 75, and 79, the same analysis applies to these claims. Therefore, Kerr does not teach or suggest the claimed invention.

Applicants note that the Examiner has construed FIG. 12 of Kerr so that the distal end is the proximal end and the proximal end is the distal end. Applicants disagree with this interpretation of Kerr and point out that it is inconsistent with the description in Kerr that “angioplasty catheter 202 is formed with a distal end 204” (column 8, lines 44 and 45). Accordingly, Applicants respectfully request that the Examiner withdraw this rejection of the claims.

In view of the above amendments and remarks, Applicants respectfully request that the Examiner withdraw the rejections of the claims.

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Amendment
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of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

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